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IDENTIFICATION PAGE

**Applicants:** Bisdikian et al

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**Docket Number:** YOR920010520US1

**Dated:** December 23, 2007

**For:** PERVASIVE, PERSONAL DATA INTERACTIVITY OVER VOICE-GRADE  
CIRCUIT-SWITCHED CELLULAR NETWORKS

Attn: Board of Patent Appeals and Interferences

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

**APPEAL BRIEF**

**Supplement**

Sir:

This supplement is in response to the "Notice of Non-Compliant Appeal Brief (37 CFR 41.37)", dated 11/23/07.

Pursuant to 35 U.S.C. 134 and 37 C.F.R. 41.37, entry of this Appeal Brief in support of the Notice of Appeal filed July 12, 2007 in the above-identified matter is respectfully requested.

Please charge any fee necessary to enter this paper and credit any overpayment to deposit account 50-0510.

Respectfully submitted,

By: \_\_\_\_\_/Louis Herzberg/

Dr. Louis P. Herzberg

Reg. No. 41,500

Voice Tel. (845) 352-3194

Fax. (845) 352-3194

3 Cloverdale Lane

Monsey, NY 10952

Customer Number: 54856

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**1 (C) REAL PARTY IN INTEREST;**

**2 Statement of Real Party in Interest**

3 The real party in interest in the above-identified patent application is the International  
4 Business Machines Corporation.

**1 (D) RELATED APPEALS AND INTERFERENCES;**

**2 Statement of Related Proceedings**

3 There are no prior or pending appeals or interferences related to this application to  
4 Appellant's knowledge.

**(E) STATUS OF CLAIMS;**

**Statement of Claim Status and Appealed Claims**

**A. Claim Status**

Claim 1 stands rejected based on 35 U.S.C. §112, and 35 U.S.C. § 103(a) based on U.S. Patent No. 7,092699 in view of U.S. Patent No. 6,735619. .

Claim 2 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No. 7,092699 in view of U.S. Patent No. 6,735619.

Claim 3 stands rejected based on 35 U.S.C. §112, and 35 U.S.C. § 103(a) based on U.S. Patent No. 7,092699 in view of U.S. Patent No. 6,735619 and in view of U.S. Patent No. 6,988,070.

Claim 4 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No. 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No. 6,988,070. .

Claim 5 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No. 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No. 6,988,070.

Claim 6 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No. 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No. 6,988,070.

Claim 7 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No. 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No. 6,988,070.

Claim 8 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No. 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No. 6,988,070.

Claim 9 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No. 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No. 6,988,070.

1 Claim 10 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
2 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
3 6,988,070.

4 Claim 11 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
5 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
6 6,988,070.

7 Claim 12 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
8 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
9 6,988,070.

10 Claim 13 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
11 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
12 6,988,070.

13 Claim 14 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
14 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
15 6,988,070.

16 Claim 15 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
17 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
18 6,988,070.

19 Claim 16 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
20 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
21 6,988,070.

22 Claim 17 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
23 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
24 6,988,070..

25 Claim 18 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
26 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
27 6,988,070.

28 Claim 19 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
29 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
30 6,988,070..

31 Claim 20 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
32 7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
33 6,988,070.

34 Claim 21 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.

1           7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
2           6,988,070.

3           Claim 22 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
4           7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
5           6,988,070.

6           Claim 23 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
7           7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
8           6,988,070.

9           Claim 24 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
10          7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
11          6,988,070.

12          Claim 25 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
13          7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
14          6,988,070.

15          Claim 26 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
16          7,092699 in view of U.S. Patent No. 6,735619 and further in view of U.S. Patent No.  
17          6,988,070.

18          Claim 27 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
19          7,092699 in view of U.S. Patent No. 6,735619.

20          Claim 28 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
21          7,092699 in view of U.S. Patent No. 6,735619.

22          Claim 29 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
23          7,092699 in view of U.S. Patent No. 6,735619.

24          Claim 30 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
25          7,092699 in view of U.S. Patent No. 6,735619.

26          Claim 31 stands rejected based on based on 35 U.S.C. § 103(a) based on U.S. Patent  
27          No. 7,092699 in view of U.S. Patent No. 6,735619.

28          Claim 32 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
29          7,092699 in view of U.S. Patent No. 6,735619.

30          Claim 33 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
31          7,092699 in view of U.S. Patent No. 6,735619.

32          Claim 34 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.

1                   7,092699 in view of U.S. Patent No. 6,735619.

2                   Claim 35 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
3                   7,092699 in view of U.S. Patent No. 6,735619.

4                   Claim 36 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
5                   7,092699 in view of U.S. Patent No. 6,735619.

6                   Claim 37 stands rejected based on 35 U.S.C. § 103(a) based on U.S. Patent No.  
7                   7,092699 in view of U.S. Patent No. 6,735619.

8                   **B. Appealed Claims**

9                   Claims 1-37 are appealed. A clean copy of these claims is contained in (J) Claims  
10                  Appendix of this Appeal Brief.



1

2 **(F) STATUS OF AMENDMENTS;**

3

**Statement of Amendment Status**

4

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An amendment after FINAL is pending in this application. The Amendment was filed March 16, 2007. It is believed that the Amendment has been considered and probably entered.

**(G) SUMMARY OF CLAIMED SUBJECT MATTER**

This portion of the Summary of Claimed Subject Matter is added to this Appeal Brief in response to response to the defect noted in paragraph 4 the "Notice of Non-Compliant Appeal Brief (37 CFR 41.37)", dated 11/23/07.

Paragraph 4 reads:

The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).

Independent Claims

Claims 1, 29 and 31 are the independent claims under appeal.

Concise explanation of the subject matter defined in each of the independent claims

INDEPENDENT CLAIM 1

Claim 1 is a method claim for service interaction method comprising a user interacting with at least one remote service accessible through a home data distribution network. The home data distribution network comprises an aggregation of at least one communications media and at least one communications protocol used to access said at least one remote service from a serving entity.

Explanation of the subject matter defined in independent claim 1, referring to the specification by page and line number and to the drawings, if any, by reference characters

1           Claim 1 is a service interaction method. It has a step of a user interacting with at least one  
2 remote service accessible through a home data distribution network, said home data distribution  
3 network comprising an aggregation of at least one communications media and at least one  
4 communications protocol

5           (Support for this is provided while explaining 107 in Fig. 1 on pg. 9, lines 1-9, that teaches  
6 using multiple technologies in creating a home distribution network) used to access said at  
7 least one remote service from a serving entity (support for this is provided on pg. 14, lines  
8 1-15, in combination with items 103 in Fig. 1 and 211 and 216 in Fig. 2, that teach  
9 accessing a service entity and requesting execution of services through that entity),

10           The Claim 1 step of interacting comprising a step of employing, a step of obtaining, two  
11 steps of selecting, and a step of accessing.

12           The first of these is a step of employing only one of a cellular voice network and a PSTN,  
13 said user connecting to a serving entity attached to said home data distribution network using a  
14 client device attached to a wireless, circuit-switched, voice telephony network.

15           (Support for this is provided while explaining 101, 102, 103 ,108, 109, 110 in Fig. 1 on  
16 pg. 6, lines 8-26, that teach the use of a client device (e.g., a cellular phone 101), a cellular  
17 network 108, to which the client device is connected, a PSTN network 109, that is  
18 connected to the cellular network on the one side and to serving entity (e.g., a web server  
19 103) one the other side) ,

20           The second of these is a step of obtaining and viewing a list of at least one remote service  
21 from accessible remote services from said serving entity accessible remotely via said home  
22 network from said serving entity using at least one of said communications media and one of said  
23 communications protocols;

24           (Support for this is spread throughout the invention, with a representative reference item  
25 405 (a service list) and pg. 15, lines 15-20, teach providing a list of available services)

26           The third of these is a step of selecting said at least one remote service from said list;

(support for this is spread throughout the invention, with a representative reference pg. 15, lines 20-23, that teach that data send from the browser application (which resides in the client device), and hence are the result of its user operating on it, includes a selection of at least one service to control).

The forth of these is a step of selecting said at least one communications media and at least one communications protocol that said at least one remote service uses; (support for this is provided while explaining 217 on pg. 9, lines 7-16 --services are accessed through multiple communication protocols and media therefore one of them needs to be selected prior to accessing them)

The fifth and last of these is a step of accessing and viewing said at least one remote service in obtaining desired results.

(Support for this step is provided on pg. 13, lines 9-14, and pg. 16, lines 3-13, which teach that status information with regard to an action executed on a selected service and whether the desired results from the action has been obtained).

Identification of method steps of claim 1:

[This identification is followed by a complete explanation with text and figure references of the elements in Claim 1 and all claims that depend on Claim 1.]

Claim 1 has method steps comprising a user interacting with at least one remote service... the step of interacting comprising steps of:

employing only one of a cellular voice network and a PSTN, ..... ;  
obtaining and viewing a list of at least one remote service ... .. ;  
selecting said at least one remote service from said list;  
selecting said at least one communications media ... .. ; and  
accessing and viewing said at least one remote service ... ..

INDEPENDENT CLAIM 29

Claim 29. is an apparatus for a user to interact with at least one remote service, comprising user connecting means, user viewing means, second connecting means, user selecting means, second selecting means, and user access means. The user connecting means is for the user connecting to a serving entity using a client device attached to a wireless, circuit-switched, voice telephony network, said user connecting means employing only one of a cellular voice network and a PSTN. The user viewing means is for obtaining and viewing a list of accessible remote services from the serving entity. The second connecting means is for attaching the apparatus to a communications medium and using a communications protocol, taken from an aggregation of communication media and protocols, through which said at least one remote service can be accessed. The user selecting means is for selecting said at least one remote service from said list. The second selecting means is for selecting the communications medium and protocol to access the selected at least one service. The user access means is for accessing and viewing the at least one remote service in obtaining desired results.

Explanation of the subject matter defined in independent claim 29, referring to the specification by page and line number and to the drawings, if any, by reference characters

Claim 29 is an apparatus for a user to interact with at least one remote service.

(Besides the support described for the comparable elements of claim 1 above, support for the apparatus of claim 29 is further provided in the description explaining Fig. 4 in its entirety on pg. 14 line 16 through pg. 16 line 13, which teach a user connecting means 401 and 402, user viewer means for viewing list of accessible services, the browser server 404 and 405, second connecting means 407, user selecting means, again through the browser 404, second selecting means through the combination of 404, 406 and 407, user access means for accessing and viewing, again using the browser server 404)

The apparatus , comprising a user connecting means. The user connection means is for said user connecting to a serving entity using a client device attached to a wireless,

circuit-switched, voice telephony network, said user connecting means employing only one of a cellular voice network and a PSTN;

(support starting on last line of page 16)

user viewing means for obtaining and viewing a list of accessible remote services from said serving entity;

(Support on line 3 of Page 17)

second connecting means for attaching said apparatus to a communications medium and using a communications protocols, taken from an aggregation of communication media and protocols, through which said at least one remote service can be accessed;

user selecting means for selecting said at least one remote service from said list;

(Support on line 5 of Page 17)

second selecting means for selecting the communications medium and protocol to access said selected at least one service; and

user access means for accessing and viewing said at least one remote service in obtaining desired results.

(Support on line 7 of Page 17)

Identification of means plus function of Independent claim 29:

The apparatus of claim 29 has the following means:

user connecting means... ..;

user viewing means ... ..;

second connecting means ... ..;

user selecting means... ..;

second selecting means; and

user access means.

INDEPENDENT CLAIM 31

Claim 31 is an apparatus claim. It is for an apparatus attached on a home network for a user using a client device attached to a wireless, circuit-switched, voice telephony network, to interact with at least one service on the home network. The apparatus comprising: a telephone modem, a dial-in service module, and a protocol transport module. The telephone modem is to directly receive an incoming call from the client device, and also to receive and transmit data over a telephone network. The telephone modem has a client port through which the apparatus attaches to the telephone network. The apparatus is a single apparatus through which a user with the client device can establish communication in one step. The client device employs only one of a cellular voice network and a PSTN. The dial-in service module is to implement dial-in logic for the client device. The browser server module is for managing data for remote display. The protocol transport module is to implement protocols needed to transport data back and forth between a browser application in the client device and the browser server module.

Explanation of the subject matter defined in independent claim 31, referring to the specification by page and line number and to the drawings, if any, by reference characters

Claim 31 is an apparatus attached on a home network for a user using a client device attached to a wireless, circuit-switched, voice telephony network, to interact with at least one service on said home network.

(Besides the support described for the comparable elements of claims 1 and 29 above, support for the apparatus of claim 31 is further provided in the description explaining, Fig. 1, page 14, lines 15-27, and Fig. 2 in its entirety on pg. 7 line 21 through pg. 11 line 2, which teach a telephone modem implied by the use of the PPP layer 215, in conjunction with the client port 401 in Fig. 4; employing one cellular network 108 and PSTN 109; dial-in service model, the entire remote dial-up server stack, a browser server 211; a transport module between the browser application and the browser server, the TCP/IP interaction 212 and 213).

1           The apparatus of CLAIM 31 comprising:  
2   a telephone modem to directly receive an incoming call from the client device, and also to receive  
3   and transmit data over a telephone network, said telephone modem having a client port through  
4   which the apparatus attaches to the telephone network, said apparatus being a single apparatus  
5   through which a user with the client device can establish communication in one step,

6           (Support from page 7, line 7 and page 15 line 2.)

7   said client device employing only one of a cellular voice network and a PSTN;

8           (Support Fig 1 reference characters 101, 108 and 109)

9   a dial-in service module to implement dial-in logic for the client device;

10          (Support from page 14 , line 30 onto page 15.

11   a browser server module for managing data for remote display; and

12          (Support from page 15, from line 12, Fig. 4, ref 404)

13   a protocol transport module to implement protocols needed to transport data back and forth  
14   between a browser application in the client device and said browser server module.

15          (Support from page 15, from line 14, Fig. 4, ref 403)

16   Identification of the elements of Independent claim 31:

17           [This identification is followed by a complete explanation with text and figure references  
18   of the elements in Claim 31 and all claims that depend on Claim 31.]

19   The apparatus of claim 31 has the following elements

20   :       a telephone modem ... ..;

21       one of a cellular voice network and a PSTN;

22       a dial-in service module ... ..;

23       a browser server module ... ..; and

24       a protocol transport module ... .. .

25    **Identity and Support of each Claim Involved in the Appeal Including each Dependent**  
26                                   **Claim Argued Separately**



1 In the following the support in the specification and figures is given for all claims. Page and line  
2 numbers are provided for each claim or claim element as follows:

3 1. A service interaction method comprising a user interacting with at least one remote service  
4 accessible through a home data distribution network, said home data distribution network  
5 comprising an aggregation of at least one communications media and at least one communications  
6 protocol

7 (support for this is provided while explaining 107 in Fig. 1 on pg. 9, lines 1-9, that teaches  
8 using multiple technologies in creating a home distribution network) used to access said at  
9 least one remote service from a serving entity (support for this is provided on pg. 14, lines  
10 1-15, in combination with items 103 in Fig. 1 and 211 and 216 in Fig. 2, that teach  
11 accessing a service entity and requesting execution of services through that entity),

12 the step of interacting comprising:

13 employing only one of a cellular voice network and a PSTN, said user connecting to a serving  
14 entity attached to said home data distribution network using a client device attached to a wireless,  
15 circuit-switched, voice telephony network

16 (support for this is provided while explaining 101, 102, 103 ,108, 109, 110 in Fig. 1 on  
17 pg. 6, lines 8-26, that teach the use of a client device (e.g., a cellular phone 101), a cellular  
18 network 108, to which the client device is connected, a PSTN network 109, that is  
19 connected to the cellular network on the one side and to serving entity (e.g., a web server  
20 103) on the other side) ,

21 obtaining and viewing a list of at least one remote service from accessible remote services from  
22 said serving entity accessible remotely via said home network from said serving entity using at  
23 least one of said communications media and one of said communications protocols;

24 (support for this is spread throughout the invention, with a representative reference item  
25 405 (a service list) and pg. 15, lines 15-20, teach providing a list of available services)

1 selecting said at least one remote service from said list;

2 (support for this is spread throughout the invention, with a representative reference pg.

3 15, lines 20-23, that teach that data send from the browser application (which resides in

4 the client device), and hence are the result of its user operating on it, includes a selection

5 of at least one service to control).

6 selecting said at least one communications media and at least one communications protocol that

7 said at least one remote service uses; and

8 (support for this is provided while explaining 217 on pg. 9, lines 7-16 --services are

9 accessed through multiple communication protocols and media therefore one of them

10 needs to be selected prior to accessing them)

11 accessing and viewing said at least one remote service in obtaining desired results.

12 (support for this is provided on pg. 13, lines 9-14, and pg. 16, lines 3-13, which teach that

13 status information with regard to an action executed on a selected service and whether the

14 desired results from the action has been obtained).

15 2. (original) A method as recited in claim 1, wherein the client device is portable.

16 (support for this is provided on pg. 7, lines 8-9, which teach the use of a portable device)

17 3. (Currently amended) A method as recited in claim 1,

18 wherein the client device is a cellular telephone;

19 (support for this is provided while explaining 101 in Fig. 1 on pg. 7, lines 10-13; the

20 equivalent term "cell phone" is also used instead of "cellular phone," in, say, Fig. 1)

21 wherein the step of connecting includes dialing-up directly to the serving entity;

22 (support for this is provided while explaining the communication between the client device

23 and the remote dial-up server in Fig. 2 on pg. 7, lines 28-30, which teach the direct dialing

to a server at home --the server playing the role of the serving entity)

wherein the step of viewing is performed employing a viewing device collocated with said client device;

(support for this is provided in Fig. 1 where item 101 is a cell-phone with a display (the viewing device) and in Fig. 2 where the client device is associated with a browser application 210, see also 7, lines 2-5, furthermore pg. 17, lines 10-15, teach the visualization across several interconnected computer systems)

wherein the viewing device depicts information in a form including at least one of: text, graphics, images, light display, voice or any combination of these;

(support for this is provided on pg. 13, lines 9-14, which teach the use of various viewing modalities)

wherein the step of selecting includes employing a menu;

(support for this is provided using the broader term of "list" while explaining 405 in Fig. 4 on pg. 15, lines 17-20)

wherein the step of viewing is performed employing a web-browser and the serving entity is a web-server;

(support for "employing a web-browser" is provided while describing the types/capabilities of cellular phones considered on pg. 3, line 9; the broader term browser application is also used elsewhere in the invention, e.g., on the client device in Fig. 2 --- support for "serving entity is a web-server" this is provided on the discussion about service entities and its relation to the Web-server 103 in Fig. 1 on pg. 14, lines 5-15)

wherein the step of connecting includes dialing-up to the serving entity through a data network to which the serving entity is connected;

(support for this is provided while explaining 305 and 301 in Fig. 3 on pg. 11, lines 3-5; in this claim the broader term "data network" instead of the more specific "intranet" 301 is

used; it is well known that an intranet is a type of a data network)

wherein the data network is the Intranet controlled by an Internet Service Provider;

(support for this is provided while explaining 301 in 3 on pg. 11, lines 3-5, which teach that the data network is an Intranet operated by an ISP, and Internet Service Provider)

wherein the data network uses the TCP/IP protocol suite for transporting information;

(support for this is provided while explaining the role of 301 303 in Fig. 3 and pg. 11, line 25 to pg. 12, line 10, which teach the use of TCP/IP protocol for communication; it is well known that the PPP protocol is used to not only carry TCP/IP traffic but also configure IP hosts accessing a TCP/IP network via dial-up line TCP/IP traffic from a client device to flow in the intranet 301, pg. 11, line 25 to pg. 12, line 10)

wherein said wireless, circuit-switched, voice telephony network is a first generation, analog, cellular network;

(support for this is provided on pg. 5, lines 22-26)

wherein said wireless, circuit-switched, voice telephony network is a second generation, digital, cellular network;

(support for this is provided on pg. 5, lines 22-26)

wherein the step of dialing-up directly to the service entity further includes passing dialing signaling and control data to the serving entity through an intermediary data network;

(support for this is provided on pg. 9, lines 22-28, which teach passing signaling and control data over a VoIP network, which operates on data networks)

wherein the step of dialing-up to the serving entity through a data network, further includes dialing-up to the serving entity through a sequence of at least one data network, the last one of which the serving entity is attached to;

(support for this is provided on pg. 11, lines 6-13, which teach that multiple, or a

sequence, of ISPs (and their data networks) can be involved as a client device in one end tries to connect to a serving entity on the other end)

wherein at least one service agent is a computer software module executable on a computer; and (support for this is provided in combination of 103 in Fig. 1 (the web-server which is a computer) and Fig. 4 that shows an instance of 103 with service agents 406 residing in it; see also pg. 14, lines 19-24 and pg. 15, lines 26-29)

wherein the step of viewing views the list on a viewing device in a manner that depends on the user's access privileges to said at least one remote service, (support for this is provided on pg. 13, line 16-23, which teach the assignment of security credential to users applicable to different entities like the dial-up sever, the homer server, etc., and as result the services available to the user will be reflective of these service credentials)

and further comprising:

said serving entity employing attributes of said circuit switch network in authenticating said user, wherein said attributes include a telephone number of said client device, and wherein said attributes include a telephone number of said serving entity; (this is an instance of a security credential on pg. 13, line 16-23 that can be assigned when accessing a dial-up server; it is well known that using caller ID technologies, the calling number for a phone call may serve as form of user authentication, especially using personal cellular phone as is the case in this invention; see possible caller ID application on pg. 2, lines 4-9)

establishing credentials so that said at least one remote service can be manipulated in a secure manner on the serving entity; (support for this is provided on pg. 12, line 11-24, which teach of the use of secure means, e.g., IPSec, or directly dial-up and subsequent authentication, for eventually accessing the desired services)

1 the serving entity providing access to at least one service agent used to access and control said at  
2 least one remote service;

3 (support for this is provided while explaining 406 and 407 in Fig. 4 on pg. 15, line 29  
4 through pg. 16 line 3, which teach the use of software agents (running on computer  
5 devices) to generate signals as a means to control the desired services, the control signals)

6 activating said computer software module prior to invoking a particular remote service;

7 activating said computer software module on demand after a particular remote service has been  
8 invoked;

9 storing said computer software module at a data repository; and

10 dynamically retrieving and activating said computer software module from the data repository  
11 after invoking a particular remote service.

12 (support for these four items is provided while explaining the service logic 216 in Fig. 2;  
13 pg., 8, lines 25-30, which teach that the service logic, which resides on a (computer)  
14 server, may activate software agents to control services in advance of needing them, on  
15 demand upon request accessing the service, store them in a repository, and retrieve  
16 dynamically from it and then activating then prior to using them).

17 4. (original) A method as recited in claim 1, wherein the step of connecting includes dialing-up  
18 directly to the serving entity.

19 (support for this is provided while explaining the communication between the client device  
20 and the remote dial-up server in Fig. 2 on pg. 7, lines 28-30, which teach the direct dialing  
21 to a server at home --the server playing the role of the serving entity)

22 5. (original) A method as recited in claim 1, wherein the step of viewing is performed employing a  
23 viewing device collocated with said client device.

(support for this is provided in Fig. 1 where item 101 is a cell-phone with a display (the viewing device) and in Fig. 2 where the client device is associated with a browser application 210, see also 7, lines 2-5, furthermore pg. 17, lines 10-15, teach the visualization across several interconnected computer systems)

6. (previously presented) A method as recited in claim 1, wherein the viewing device depicts information in a form including at least one of: text, graphics, images, light display, voice or any combination of these.

(support for this is provided on pg. 13, lines 9-14, which teach the use of various viewing modalities)

7. (original) A method as recited in claim 1, wherein the step of selecting includes employing a menu.

(support for this is provided using the broader term of “list” while explaining 405 in Fig. 4 on pg. 15, lines 17-20)

8. (original) A method as recited in claim 5, wherein the step of viewing is performed employing a web-browser and the serving entity is a web-server.

(support for “employing a web-browser” is provided while describing the types/capabilities of cellular phones considered on pg. 3, line 9; the broader term browser application is also used elsewhere in the invention, e.g., on the client device in Fig. 2 --- support for “serving entity is a web-server” this is provided on the discussion about service entities and its relation to the Web-server 103 in Fig. 1 on pg. 14, lines 5-15)

9. (original) A method as recited in claim 1, wherein the step of connecting includes dialing-up to the serving entity through a data network to which the serving entity is connected.

(support for this is provided while explaining 305 and 301 in Fig. 3 on pg. 11, lines 3-5; in this claim the broader term “data network” instead of the more specific “intranet” 301 is used; it is well known that an intranet is a type of a data network)

1 10. (original) A method as recited in claim 9, wherein the data network is the Intranet controlled  
2 by an Internet Service Provider.

3 (support for this is provided while explaining 301 in 3 on pg. 11, lines 3-5, which teach  
4 that the data network is an Intranet operated by an ISP, and Internet Service Provider)

5 11. (original) A method as recited in claim 9, wherein the data network uses the TCP/IP protocol  
6 suite for transporting information.

7 (support for this is provided while explaining the role of 301 303 in Fig. 3 and pg. 11, line  
8 25 to pg. 12, line 10, which teach the use of TCP/IP protocol for communication; it is well  
9 known that the PPP protocol is used to not only carry TCP/IP traffic but also configure IP  
10 hosts accessing a TCP/IP network via dial-up line TCP/IP traffic from a client device to  
11 flow in the intranet 301, pg. 11, line 25 to pg. 12, line 10)

12 12. (original) A method as recited in claim 1, further comprising said serving entity employing  
13 attributes of said circuit switch network in authenticating said user.

14 13. (original) A method as recited in claim 12, wherein said attributes include a telephone number  
15 of said client device.

16 14. (original) A method as recited in claim 12, wherein said attributes include a telephone number  
17 of said serving entity.

18 (the above three claims (12 being more general than 13 and 14) represent an instance of a  
19 security credential on pg. 13, line 16-23 that can be assigned when accessing a dial-up  
20 server; it is well known that using caller ID technologies, the calling number for a phone  
21 call may serve as form of user authentication, especially using personal cellular phone as is  
22 the case in this invention; see possible caller ID application on pg. 2, lines 4-9)

23 15. (original) A method as recited in claim 1, further comprising establishing credentials so that  
24 said at least one remote service can be manipulated in a secure manner on the serving entity.



1 (support for this is provided on pg. 12, line 11-24, which teach of the use of secure means,  
2 e.g., IPSec, or directly dial-up and subsequent authentication, for eventually accessing the  
3 desired services)

4 16. (original) A method as recited in claim 1, wherein the step of viewing views the list on a  
5 viewing device in a manner that depends on the user's access privileges to said at least one remote  
6 service.

7 (support for this is provided on pg. 13, lines 16-23, which teach the assignment of security  
8 credential to users applicable to different entities like the dial-up sever, the homer server,  
9 etc., and as result the services available to the user will be reflective of these service  
10 credentials)

11 17. (original) A method as recited in claim 1, further comprising the serving entity providing  
12 access to at least one service agent used to access and control said at least one remote service.

13 (support for this is provided while explaining 406 and 407 in Fig. 4 on pg. 15, line 29  
14 through pg. 16 line 3, which teach the use of software agents (running on computer  
15 devices) to generate signals as a means to control the desired services, the control signals)

16 18. (original) A method as recited in claim 17, wherein at least one of said at least one service  
17 agent is a computer software module executable on a computer.

18 (support for this is provided in combination of 103 in Fig. 1 (the web-server which is a  
19 computer) and Fig. 4 that shows an instance of 103 with service agents 406 residing in it;  
20 see also pg. 14, lines 19-24 and pg. 15, lines 26-29)

21 19. (original) A method as recited in claim 18, further comprising activating said software module  
22 prior to invoking a particular remote service.

23 20. (original) A method as recited in claim 18, further comprising activating said software module  
24 on demand after a particular remote service has been invoked.

1 21. (original) A method as recited in claim 18, further comprising storing said software module at  
2 a data repository.

3 22. (original) A method as recited in claim 21, further comprising dynamically retrieving and  
4 activating said software module from the data repository after invoking a particular remote  
5 service.

6 (support for these claims 19-22 is provided while explaining the service logic 216 in Fig.  
7 2; pg., 8, lines 25-30, which teach that the service logic, which resides on a (computer)  
8 server, may activate software agents to control services in advance of needing them, on  
9 demand upon request accessing the service, store them in a repository, and retrieve  
10 dynamically from it and then activating then prior to using them).

11 23. (original) A method as recited in claim 1, wherein said wireless, circuit-switched, voice  
12 telephony network is a first generation, analog, cellular network. (support for this is provided on  
13 pg. 5, lines 22-26)

14 24. (original) A method as recited in claim 1, wherein said wireless, circuit-switched, voice  
15 telephony network is a second generation, digital, cellular network.

16 (support for this is provided on pg. 5, lines 22-26)

17 25. (original) A method as recited in claim 4, wherein the step of dialing-up directly to the service  
18 entity further includes passing dialing signaling and control data to the serving entity through an  
19 intermediary data network.

20 (support for this is provided on pg. 9, lines 22-28, which teach passing signaling and  
21 control data over a VoIP network, which operates on data networks)

22 26. (original) A method as recited in claim 9, wherein the step of dialing-up to the serving entity  
23 through a data network, further includes dialing-up to the serving entity through a sequence of at  
24 least one data network, the last one of which the serving entity is attached to.

25 (support for this is provided on pg. 11, lines 6-13, which teach that multiple of ISPs (and

1           their data networks) can be involved as a client device in one end tries to connect to a  
2           serving entity on the other end)

3   27. (original) An article of manufacture comprising a computer usable medium having computer  
4   readable program code means embodied therein for causing a user to interact with at least one  
5   remote service, the computer readable program code means in said article of manufacture  
6   comprising computer readable program code means for causing a computer to effect the steps of  
7   claim 1.

8           (support for this is provided on pg. 16 line 30 through pg. 17 line 8, and pg. 18, lines 10  
9           -13, which teach an article of manufacture that effects the steps of claim 1).

10   28. (original) A program storage device readable by machine, tangibly embodying a program of  
11   instructions executable by the machine to perform method steps for causing a user to interact with  
12   at least one remote service, said method steps comprising the steps of claim 1.

13           (support for this is provided on pg. 16 line 30 through pg. 17 line 8, and pg. 18, lines  
14           25-30, which teach a program storage device storing a program that executes the steps of  
15           the method of claim 1)

16   29. (Previously presented) An apparatus for a user to interact with at least one remote service,  
17   comprising:

18   user connecting means for said user connecting to a serving entity using a client device attached  
19   to a wireless, circuit-switched, voice telephony network, said user connecting means employing  
20   only one of a cellular voice network and a PSTN;

21   user viewing means for obtaining and viewing a list of accessible remote services from said  
22   serving entity;

23   second connecting means for attaching said apparatus to a communications medium and using a  
24   communications protocols, taken from an aggregation of communication media and protocols,

1 through which said at least one remote service can be accessed;

2 user selecting means for selecting said at least one remote service from said list;

3 second selecting means for selecting the communications medium and protocol to access said

4 selected at least one service; and

5 user access means for accessing and viewing said at least one remote service in obtaining desired

6 results.

7 (support for this is provided while explaining Fig. 4 in its entirety on pg. 14 line 16

8 through pg. 16 line 13, which teach a user connecting means 401 and 402, user viewer

9 means for viewing list of accessible services, the browser server 404 and 405, second

10 connecting means 407, user selecting means, again through the browser 404, second

11 selecting means through the combination of 404, 406 and 407, user access means for

12 accessing and viewing, again using the browser server 404)

13 30. (original) A computer program product comprising a computer usable medium having

14 computer readable program code means embodied therein for causing a user to interact with at

15 least one remote service, the computer readable program code means in said computer program

16 product comprising computer readable program code means for causing a computer to effect the

17 functions of claim 28.

18 (support for this is provided on pg. 16 line 30 through pg. 17 line 8; pg. 18, lines 25-30;

19 and pg. 17 line 18 through pg. 18 line 9, which teach of a computer program effecting the

20 function of claim 28)

21 31. (Previously presented) An apparatus attached on a home network for a user using a client

22 device attached to a wireless, circuit-switched, voice telephony network, to interact with at least

23 one service on said home network, said apparatus comprising:

24 a telephone modem to directly receive an incoming call from the client device, and also to receive

1 and transmit data over a telephone network, said telephone modem having a client port through  
2 which the apparatus attaches to the telephone network, said apparatus being a single apparatus  
3 through which a user with the ~~user~~ client device can establish communication in one step,  
4 said client device employing only one of a cellular voice network and a PSTN;

5 a dial-in service module to implement dial-in logic for the client device;

6 a browser server module for managing data for remote display; and

7 a protocol transport module to implement protocols needed to transport data back and forth  
8 between a browser application in the client device and said browser server module.

9 (support for this is provided while explaining Fig. 2 in its entirety on pg. 7 line 21 through  
10 pg. 11 line 2, which teach a telephone modem implied by the use of the PPP layer 215, in  
11 conjunction with the client port 401 in Fig. 4; employing one cellular network 108 and  
12 PSTN 109; dial-in service model, the entire remote dial-up server stack, a browser server  
13 211; a transport module between the browser application and the browser server, the  
14 TCP/IP interaction 212 and 213).

15 32. (original) An apparatus as recited in claim 31, wherein said browser server is used to obtain,  
16 organize, and manipulate data received from and data sent to the client device through the  
17 protocol transport module.

18 (support for this is provided on pg. 15, lines 12- 14)

19 33. (original) An apparatus as recited in claim 32, wherein said data sent to the client device are  
20 displayed and viewed by the browser application in the client device. (support for this is provided  
21 on pg. 15, lines 15-17)

22 34. (previously presented) An apparatus as recited in claim 32, wherein said data sent includes a  
23 list of services that are accessible by the client device. (support for this is provided on pg. 15, lines  
24 17-20)

1 35. (Previously presented) An apparatus as recited in claim 31, wherein said data received by the  
2 browser application in the client device include a selection of at least one service the user of the  
3 client device controls and an action to be taken for a selected service, and upon receipt of the  
4 action the browser server interacts with a particular service agent to implement the control logic  
5 for controlling the selected service, wherein a control signal generated by the service agent exits  
6 the apparatus through attachment of the home network.

7 (support for this is provided on pg. 15 line 20 through pg. 16 line 3)

8 36. (Previously presented) An apparatus as recited in claim 31, wherein said dial-in server module  
9 triggers at least one particular module in the apparatus to process any incoming calls and requests  
10 from the client device.

11 (support for this is provided on pg. 15, lines 5-7)

12 37. (previously presented) An apparatus as recited in claim 31, wherein said dial-in server module  
13 performs user authentication.

14 (support for this is provided on pg. 15, lines 4-5)

1   **(H) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL;**

2   The ground for rejections for all claims under appeal are under 35 U.S.C. 112 and 35 USC §  
3   103(a) as listed below.

4           a) The rejection

5           Claims 1, 3 are rejected under 35 U.S.C. 112(b)

6           *Claims 1-2, 27-37 are rejected under 35 USC. 103(a) as being unpatentable over U.S.*  
7           *Patent No. 7,092,699 to Heifer in view of US. Patent No. 6,735,619 to Sawada.*

8           *Claims 3-26 are rejected under 35 USC § 103(a) as being unpatentable over U.S. patent*  
9           *No. 7,092,699 to Heifer in view of U.S. Patent No. 6,735,719 to Sawada as applied to*  
10          *claims 1 above, and in further in view of U.S. Patent No. 6,988,070 to Kawasaki et al.*

11          b) Appellant requests that independent claims Claims 1, 29 and 31 be reviewed  
12          separately.

**(I) ARGUMENT;**

The following are the contentions of appellant with respect to each ground of rejection presented for review, and the basis therefor.

Applicants contend:

Claims 1-37 are pending in the present application to Bisdikian, et al, hereinafter Bisdikian.

1. Claim rejections under 35 U.S.C. §112:

Applicants respectfully state that claims 1 and 3 as amended provide sufficient antecedent basis for the limitations. This overcomes the rejection of claims 1 and 3 under - 35 USC § 112.

2. Claims 1-2, 27-37 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 7,092699 to Hefter in view of US. Patent No. 6,735619 to Sawada.

3. Claims 3-26 were rejected under 35 USC § 103(a) as being unpatentable over U.S. patent No. 7,092699 to Hefter in view of U.S. Patent No. 6,735719 to Sawada as applied to claims 1 above, and in further in view of U.S. Patent No. 6,988070 to Kawasaki et al.

Appellant will first present the common arguments, and then present the arguments specific to all Claims 1 -37 of Bisdikian under appeal in numeric order to the degree that office communication makes remarks.

It is particularly noted, that the office communication fails to show any showing of or any obviousness criteria used for claims 4-26. Applicants, request these claims to be summarily allowed by the Appeal Board, in so much that the Examiner made no particular remarks in regard to claims 4-26.



1 These claims include limitations not addressed in the office communication regarding as to why  
2 the cited references make obvious limitations as follows which contribute to the novelty and  
3 advantages of the invention claimed in claims 4-26. These limitations respectively for claims 4-26  
4 are:

5 wherein the step of connecting includes dialing-up directly to the serving entity.

6 wherein the step of viewing is performed employing a viewing device collocated with said  
7 client device.

8 wherein the viewing device depicts information in a form including at least one of: text,  
9 graphics, images, light display, voice or any combination of these.

10 wherein the step of selecting includes employing a menu.

11 wherein the step of viewing is performed employing a web-browser and the serving entity  
12 is a web-server.

13 wherein the step of connecting includes dialing-up to the serving entity through a data  
14 network to which the serving entity is connected.

15 wherein the data network is the Intranet controlled by an Internet Service Provider.

16 wherein the data network uses the TCP/IP protocol suite for transporting information.

17 further comprising said serving entity employing attributes of said circuit switch network  
18 in authenticating said user.

19 wherein said attributes include a telephone number of said client device.

1            wherein said attributes include a telephone number of said serving entity.

2            further comprising establishing credentials so that said at least one remote service can be  
3            manipulated in a secure manner on the serving entity.

4            wherein the step of viewing views the list on a viewing device in a manner that depends on  
5            the user's access privileges to said at least one remote service.

6            further comprising the serving entity providing access to at least one service agent used to  
7            access and control said at least one remote service.

8            wherein at least one of said at least one service agent is a computer software module  
9            executable on a computer.

10           further comprising activating said software module prior to invoking a particular remote  
11           service.

12           further comprising activating said software module on demand after a particular remote  
13           service has been invoked.

14           further comprising storing said software module at a data repository.

15           further comprising dynamically retrieving and activating said software module from the  
16           data repository after invoking a particular remote service.

17           wherein said wireless, circuit-switched, voice telephony network is a first generation,  
18           analog, cellular network.

19           wherein said wireless, circuit-switched, voice telephony network is a second generation,

digital, cellular network.

wherein the step of dialing-up directly to the service entity further includes passing dialing signaling and control data to the serving entity through an intermediary data network.

wherein the step of dialing-up to the serving entity through a data network, further includes dialing-up to the serving entity through a sequence of at least one data network, the last one of which the serving entity is attached to.

#### COMMON ARGUMENT

With regard to the rejections under 35 USC. 103(a) Applicants/Appellant contend:

The invention in Claims 1-37 is directed to the field of telephone networks, and more particularly to cellular telephony as a means for remotely accessing and/or manipulating information and processes. It claims a service interaction method (and a corresponding system) for a user interacting with at least one remote service accessible through a home data distribution network. The home data distribution network includes an aggregation of at least one communications media and at least one communications protocol used to access the at least one remote service from a serving entity. Accessing devices at home via public switched telephone networks (PSTNs) was possible before the present invention. For example, it was possible for people to access their answering machine using, say, a pay phone. However, a drawback for such purely telephony-based access to home devices was the limited, if any, capabilities possible in providing “feedback” or status information. It was thus desirable to facilitate the use of visual means and in particular textual and graphics means to greatly enhance user experience in remotely accessing and controlling home devices. Furthermore, as intelligent homes, where the use of computer enabled operations in homes allowed them to adapt automatically to changing conditions (e.g., a persons presence at certain locations, lighting and environmental conditions, and so on) were becoming common place, there was a rising need that computerized services as a whole become remotely accessible rather than just being individual devices and/or appliances.

1 The present invention as claimed in claims 1-37, addresses the above identified needs by  
2 developing a solution requiring minimal infrastructure changes. It considers the use of mobile  
3 Web-phones that operate over traditional circuit-switched cellular networks, like 2nd generation  
4 GSM networks, that serve as wireless extensions to regular (wireline) PSTN. This is useful in a  
5 Web-phone dial-in to a home server, which is present in popular computer operating systems such  
6 as Microsoft Windows, and provides access to services at the home which are connected to the  
7 server through a home distribution network. As services (and devices) at home have the ability to  
8 connect to different networks, (e.g. home appliances may connect to via an X10 or IEEE 1394  
9 network to a corresponding controller unit) while more elaborate computer-based services may  
10 connect via a wireline or wireless local area network (LAN). Thus, accessing appliances and  
11 services in a unified manner requires that the home server (or more general the "serving entity" in  
12 the present invention) provide access to multiple networks and make use of various  
13 communications protocols used over these networks. This is not addressed, taught or made  
14 obvious by the combined cited references.

15 The FINAL office communication states:

16 2. Claims 1-2, 27-37 were rejected under 35 USC § 103(a) as being unpatentable over  
17 U.S Patent No. 7,092699 to Hefter in view of US. Patent No. 6,735619 to Sawada.

18 Applicants respectfully state that Claims 1-2, 27-37 are apparently not made unpatentable by the  
19 invention of Hefter and Sawada. The present invention, claimed in Claims 1-2, 27-37"

20 "Provides methods and apparatus for accessing and controlling services, such as home  
21 automation services, visually employing established wireless, cellular telecommunication  
22 technologies for voice communications. In example embodiments, users of personal  
23 portable devices connect to services over dial-up, wireless, cellular, circuit-switched voice  
24 telephone networks, receive and display listings of available services and use these listings  
25 to access and manipulate the services."

26 The referenced cited art to Hefter, US Patent 7,092699, filed: April 11, 2001, is entitled:

27 "Seamless wireless phone access service." The Hefter abstract reads:

1 “A method, apparatus, and article of manufacture for synchronizing the memory of a  
2 wireless telephone with a networked computer over a wireless link. A communication  
3 network in accordance with the present invention, includes a plurality of portable wireless  
4 telephones; a plurality of base stations; and at least one controller coupled to the Internet.  
5 The portable wireless telephone is adapted to operate a program that stores information  
6 locally and automatically synchronizes the local memory with a host computer on the  
7 Internet. In operation, when a wireless telephone user receives a telephone call or data  
8 from the Internet, the number or the information is stored in the telephone memory and  
9 then automatically stored on a computer coupled to the Internet. In another embodiment,  
10 a computer coupled to the Internet is adapted to automatically synchronize a portion of  
11 the information stored in its memory with that of a portable wireless telephone. The  
12 Internet computer may in effect be used to reconstitute the wireless telephone memory”.

13 The other referenced art cited to Sawada , US Patent 6,735,619, filed: February 3, 2000, is  
14 entitled: “Home network gateway apparatus and home network device”. The Sawada abstract  
15 reads:

16 “A home network gateway apparatus controls information of home network devices  
17 connected to an IEEE 1394 bus in a unified manner in a household. When a device is  
18 connected to the home network, the home network gateway apparatus of the present  
19 invention acquires information of each device and posts the information on a built-in  
20 WWW server in a list menu format. The user can remotely control home network devices  
21 individually from an apparatus on another network via the list menu”.

22 Thus, Hefter is concerned with synchronizing the memory of a wireless telephone with a  
23 networked computer over a wireless link. Sawada is concerned with providing a home network  
24 gateway apparatus controls information of home network devices connected to an IEEE 1394 bus  
25 in a unified manner in a household. The combined references are not concerned with the enabling  
26 of remote control of services at a residential network without the necessity of a service provider  
27 as in claims 1-37.

1 Furthermore, there is apparently no reason to make the combination of Hefter and Sawada except  
2 in an effort to apparently use hindsight in an attempt to find and/or make all the elements of  
3 Claims 1-2, 27-37 obvious. In order to make a combination, at least one of the references in the  
4 combination must cite the other. One skilled in the art would not combine an invention of Hefter  
5 in primary US Class **455/414.1** with the invention of Sawada in primary US Class **709/212**.  
6 Besides even when combined the combination does not teach, allude to or make obvious the  
7 presently claimed invention in Claims 1-2, 27-37. Thus Claims 1-2, 27-37 are allowable over the  
8 combined art. The combined references are not concerned with the enabling of remote control of  
9 services at a residential network without the necessity of a service provider as in claims 1-2, 27-37  
10 and actually all claims 1-37.

11 The FINAL office communication further states:

12 3. Claims 3-26 were rejected under 35 USC § 103(a) as being unpatentable over U.S.  
13 patent No. 7,092,699 to Hefter in view of U.S. Patent No. 6,735,719 to Sawada as applied  
14 to claims 1 above, and in further in view of U.S. Patent No. 6,988,070 to Kawasaki et al.

15 Applicants contend:

16 Regarding claims 3-26, the third citation, the cited art to Kawasaki, US Patent 6,988,070, filed:  
17 May 11, 2001, is entitled: "Voice control system for operating home electrical appliances". The  
18 Kawasaki abstract reads:

19 "A voice control system for managing home electrical appliances includes a home agent  
20 server (HAS) connected to the home electrical appliances, a microphone and a speaker  
21 linked to the agent server through an in-house network. An transaction processing (TP)  
22 program runs on HAS and interprets the user's voice request to find a destined appliance  
23 and a manner of control the same, and performs the requested control to the destined  
24 appliance. The result is notified to the user by means of a voice message".

25 There is apparently no reason to introduce Kawasaki to combine with Hefter and Sawada except  
26 again using hindsight. The art to Kawasaki, US Patent 6,988,070, filed: May 11, 2001, is entitled:

1 “Voice control system for operating home electrical appliances.” Besides, none of the cited  
2 references refer to another of the cited references. But even the combination does not make the  
3 inventions of claims 3-26 obvious.

4 In reviewing the cited alleged prior art, it is noted that Hefter is concerned with synchronizing the  
5 memory of a wireless telephone with a networked computer over a wireless link. Sawada is  
6 concerned with providing a home network gateway apparatus controls information of home  
7 network devices connected to an IEEE 1394 bus in a unified manner in a household. Kawasaki is  
8 concerned with providing access to home appliances using voice commands. It is apparent that  
9 the cited prior art is motivated by, and addresses, entirely different application spaces requiring  
10 persons with diverse expert skills. Hence, applicants find no reason to make the combination of  
11 the cited prior art except in an effort to use hindsight in an attempt to find and/or make all the  
12 elements of our invention obvious. To the contrary, it is applicants' belief that the differences  
13 between our invention and the prior art are such that the invention as a whole would not have  
14 been obvious at the time the invention was made to a person having ordinary skill in the art.

15 More specifically, a review of the combined cited prior art shows that the references fail to teach  
16 or make obvious a service interaction method (and a corresponding system) as in the presently  
17 claimed invention, comprising a user interacting with at least one remote service accessible  
18 through a home data distribution network. Sawada, is concerned with a home network gateway  
19 apparatus, teaches connecting to at least one device via a home network, however, it does not  
20 teach, allude to or make obvious interaction with a service, where service represents a high-level  
21 construct that is not tied to any specific device or appliance (appliances is the subject of concern  
22 in Kawasaki et al., while Hefter addresses a totally different topic than connecting to devices or  
23 appliances). As an example, an environmental control service may not only relate to adjusting the  
24 HVAC (heat, ventilation, and AC) at a home, but depending on the time of day, the weather  
25 conditions (sunny, cloudy, etc.), and so on, adjusting window openings, window curtain coverage,  
26 and so on.

27 It is alleged by the Examiner, that accessing services as opposed to devices (or appliances),

1 represent equivalent concepts and that the former is made obvious by the latter to a person with  
2 ordinary skill in the art. However, applicants respectfully disagree with such a position and it is  
3 applicants' belief that the one skilled in the art would not consider the methods and/or apparatus  
4 for accessing services to be made obvious (and certainly not taught) by the cited combined art  
5 which apparently teaches devices.

6 There is no reason to that one skilled in the art would assume a one-to-one correspondence  
7 between a service and a device. Applicants assert, that while devices may provide (some form of)  
8 services, a single service can be implemented across multiple devices, as exemplified by the  
9 aforementioned environmental control service. For different types of services, like in one that  
10 relates to home theater entertainment, which may even interact over the Internet with, say,  
11 on-line video-on-demand servers and libraries to select a movie to watch through the home  
12 theater service. The location, type, ownership, and so on, of the devices supporting the service  
13 becomes immaterial. It thus becomes advantageous that in accessing such services, to hide from  
14 the users all the elemental components of the service. Services should not have to expose devices  
15 to users that support the users, but services need only expose the functions available through  
16 them. For this reason, it is noted that the provision of access to a device as presently claims in  
17 Bisdikian, is a fundamentally different concept from that of providing access to a service. The  
18 cited alleged prior art that considers accessing a device or an appliance does not teach, allude to,  
19 or make obvious the concept of accessing services that can exist across multiple devices that need  
20 to be accessed as their own distinct entities rather than as the result of an aggregation of controls  
21 targeting individual devices. Therefore, the cited prior concerned with accessing devices does not  
22 make obvious the ramifications of accessing services instead. Besides, even if this was not so, the  
23 combined references fail to teach, allude to or make obvious the steps of the method claims and/or  
24 the functions of the elements in the apparatus claims.

25 Furthermore the combined cited prior art fails to teach the use of a home data distribution  
26 network comprising an aggregation of at least one communications media and at least one  
27 communications protocol to access the services from a serving entity. Sawada is concerned with a  
28 home network comprised of simple IEEE 1394 enabled devices, like a lamp or a camera, while



1 Kawasaki does not specify the nature of the home network, however fig. 2 and 5 in Kawasaki  
2 imply the use of a single communication interface for the in-house network and hence the use of a  
3 single communication medium and protocol. Concerned with an application context that is  
4 entirely different than in our invention, Hefter's home network is a single local area network.

5 For example, the step claiming "employing only one of a cellular voice network and a PSTN, said  
6 user connecting to a serving entity attached to said home data distribution network using a client  
7 device attached to a wireless, circuit-switched, voice telephony network," is a step that is required  
8 for connecting a personal mobile (or client) device to the serving entity for services accessed  
9 through the home distribution network. Nevertheless, within the context of the presently claimed  
10 invention, the use of these networks is very distinct from that which is in the cited art.

11 Specifically, Hefter, who the Examiner uses to invalidate this step of our invention, may indeed  
12 allude to use of a wireless network and a PSTN network, however, Hefter in general and  
13 especially in the portion cited by the examiner (col. 4, lines 43-54, col. 9, lines 34-54) does not  
14 teach, allude to or make obvious the use of these networks for "connecting to a serving entity  
15 attached to said home data distribution network," as claimed.

16 The claimed steps of "obtaining and viewing a list of at least one remote service from accessible  
17 remote services from said serving entity accessible remotely via said home network from said  
18 serving entity using at least one of said communications media and one of said communications  
19 protocols; selecting said at least one remote service from said list; selecting said at least one  
20 communications media and at least one communications protocol that said at least one remote  
21 service uses; and accessing and viewing said at least one remote service in obtaining desired  
22 results" is not taught, alluded to or made obvious by the prior art as they are not concerned with  
23 services as explained earlier. Furthermore prior art does not teach, allude to or make obvious the  
24 use of home distribution networks that comprise of multiple networks which in turn introduces  
25 the need of selecting a communications media and protocol in order to access the selected  
26 service(s). Finally, none of the cited prior art teaches, alludes to, or makes obvious "accessing and  
27 viewing said at least one remote service in obtaining desired results." More specifically, in the  
28 portion of Sawada cited by the examiner for invalidating the claimed step of "obtaining and

1 viewing a least one remote service from accessible remote services from said serving entity  
2 accessible remotely via said home network from said serving entity using least one of said  
3 communications media and one of said communications protocols” (col. 1, lines 39-43, col. 2,  
4 lines 16-50), no mention is made to accessing services from a serving entity using at least one  
5 communication medium and protocol, and none of these aspects of our invention are taught,  
6 alluded to, or made obvious by Sawada. Likewise, in the portion of Sawada cited by the examiner  
7 for invalidating the steps of “selecting said at least one communications media and at least one  
8 communications protocol that said at least one remote service uses; and accessing and viewing  
9 said at least one remote service in obtaining desired results” (col. 4, lines 45-56) no mention is  
10 made to selecting at least one of communications media and communication protocol, and this  
11 aspect of our invention is not taught, alluded to, or made obvious by Sawada.

12 Furthermore, none of the cited prior art teaches, alludes to, or makes obvious “obtaining desired  
13 results.” Prior art, Kawasaki for instance, uses an audible feedback through a speaker to confirm  
14 that a command spoken to a microphone has been received by the system considered. However,  
15 such form of “intermediate” feedback is fundamentally different that viewing whether the desired  
16 “end” results are obtained, which is the result of not only receiving a command from the end-user,  
17 but further processing it and instructing the appliance or device to perform the desired operation  
18 (e.g., turn-on a light). Even in this case, the question will still remain as to whether the light is  
19 eventually turned on, which may not for any number of reasons, e.g., the light-bulb was burned.  
20 Note that were we to consider a “home light service” instead, it would had been easy to consider  
21 the case that the closed-circuit TV system in the house is an integral part of the service and it can  
22 be used to provide a visual verification that the service produced the desired result, and do so  
23 without the need for the user to explicitly requesting the CCTV to provide a video feed from the  
24 room where the light were to be turned on. This also shows a fundamental difference of providing  
25 access to a device, as the prior art teaches, as opposed to providing access to a service.

## 26 PARTICULAR ARGUMENTS

27 In particular, Applicants will argue the cited portions of the referenced art to show the

1 lack of obviousness of the Bisdikian claims. Applicants further contend:

2           Regarding Claim 1, it is clear that it is not made obvious by the combined cited art.  
3 Applicants respectfully states that exception is taken with the reading of the elements of claim 1  
4 and Hefter and/or Sawada. Claim 1 as amended reads:

5           1. A service interaction method comprising a user interacting with at least one remote  
6 service accessible through a home data distribution network, said home data distribution  
7 network comprising an aggregation of at least one communications media and at least one  
8 communications protocol used to access said at least one remote service from a serving  
9 entity, the step of interacting comprising:

10           employing only one of a cellular voice network and a PSTN, said user connecting to a  
11 serving entity attached to said home data distribution network using a client device  
12 attached to a wireless, circuit-switched, voice telephony network,

13           obtaining and viewing a list of at least one remote service from accessible remote services  
14 from said serving entity accessible remotely via said home network from said serving  
15 entity using at least one of said communications media and one of said communications  
16 protocols;

17           selecting said at least one remote service from said list;

18           selecting said at least one communications media and at least one communications  
19 protocol that said at least one remote service uses; and

20           accessing and viewing said at least one remote service in obtaining desired results.

21 Firstly, a review of Hefter, shows that Hefter fails to teach "a service interaction method for a  
22 user to interacting with at least one remote service accessible through a home data distribution  
23 network, said home data distribution network comprising an aggregation of at least one

1 communications media and at least one communications protocol used access said at least one  
2 remote service from a serving entity," as the office communication states above. Hefter [col. 2,  
3 lines 4-11] teaches synchronization, in particular for "providing automatic synchronization of a  
4 wireless device with a host computer over a wireless network. More specifically, in one  
5 embodiment, a system and method consistent with the present invention synchronizes a wireless  
6 device having personal organizer and directory functionality with a host computer having the  
7 same or similar functionality over a wireless network."

8 The office communication cited portion of Hefter, (See col. 4, lines 43-54, col. 9, lines 34-54),  
9 shows that Hefter fails to teach or make obvious even the first elements of claim 1.. Hefter col. 4,  
10 lines 43-54, reads:

11 "Referring to FIG. 1, an exemplary communication network system 10 in which the  
12 present invention may be implemented is disclosed. System 10 is comprised of a plurality  
13 of wireless telephones 100, a wireless sub-network 102, a network interface 101, and a  
14 computer network 104. Wireless sub-network 102 is further comprised of a plurality of  
15 base stations 116 and a controller 112. Computer network 104 is further comprised of a  
16 Public Switched Telephone Network (PSTN) 110, a plurality of telephones represented by  
17 telephone 111, and a plurality of computers represented by computer 117. While not  
18 shown, it is understood that computer 117 could also represent the Internet). Network  
19 system 10 may have other components/configurations, but these are not shown to  
20 facilitate description of the unique aspects of this embodiment of the invention."

21 Hefter col. 9, lines 34-54 read:

22 "FIG. 10 shows a detailed flow diagram of the process performed when a user of a  
23 wireless telephone 100 dials a number for a computer 117 on network 104. As shown in  
24 step 1010, when a user initiates an access request (dials the number to a network interface  
25 corresponding to computer 117, or speaks command into user interface 214), the request  
26 is transmitted to public switch 140. In step 1020, public switch 140 issues a request to  
27 CTI server 144 requesting that the CTI server 144 provide the public switch with  
28 instructions as to what to do with the dialing request. CTI server 144 determines whether  
29 there are any available ports on the multiplexer/demultiplexer 142 (step 1030). (Note,  
30 there can be a dialog between the CTI server 144 and the multiplexer/demultiplexer 142 to  
31 determine the appropriate terminating port and associated telephone number). If there are  
32 available ports (step 1040), CTI server 144 instructs the switch 140 to redirect the call to  
33 a telephone number representing a free port on multiplexer/demultiplexer 142. The  
34 multiplexer/demultiplexer 142 will then establish the path to computer 117 and  
35 information will flow freely between wireless telephone 100 and the computer 117."

1 Although, these portions use words and some phrases as in claim 1, the words are not combined  
2 to make the of the steps of interacting or the step employing of claim 1. Hefter does not make  
3 obvious "a user interacting with at least one remote service accessible through a home data  
4 distribution network, said home data distribution network comprising an aggregation of at least  
5 one communications media and at least one communications protocol used to access said at least  
6 one remote service from a serving entity." Hefter is not concerned with interacting with a remote  
7 service. Hefter is not concerned with a remote service accessible through a home data  
8 distribution network being an aggregation of a communications media and a communications  
9 protocol used to access the remote service from a serving entity. Hefter is not concerned with  
10 employing **only one of** a cellular voice network and a PSTN. Hefter is not concerned with a user  
11 connecting to a serving entity attached to a home data distribution network using a client device  
12 as in claim 1.

13 Similarly, exception is taken with the office communication statement regarding the teaching of  
14 claim 1 elements by Sawada (See col. 1, lines 39-43, col. 2, lines 16-50). Sawada col. 1, lines  
15 39-43, reads:

16 "Then, when accessed by a device incorporating a WWW browser on another network,  
17 the home network gateway apparatus sends necessary information to the device and  
18 displays a list of home network devices on the display of the device."

19 Sawada col. 2, lines 16-50, reads:

20 "In another mode of the home network gateway apparatus of the present invention, when  
21 instructed by an apparatus incorporating a WWW browser on the home network or a  
22 network other than the home network to remotely control the home network device via  
23 the list menu, the home network gateway apparatus sends control information to the home  
24 network device based on the device operation information and makes the device execute  
25 the operation as instructed.

26  
27 This makes it possible to remotely control the home network device via the homepage.

28  
29 In another mode of the home network gateway apparatus of the present invention, if a  
30 device is connected to the home network, the home network gateway apparatus acquires  
31 identification information and download server address information output from the home  
32 network apparatus. The home network gateway apparatus then accesses the download  
33 server based on the address information and downloads and stores the screen creation

information and device operation information on the home network device. The home network gateway apparatus then posts information of all devices connected to the home network in a list menu form on a built-in WWW server.

In another mode of the home network gateway apparatus, if connection of a home network device to the home network is canceled, the home network gateway apparatus automatically deletes the information of the device from the list menu.

In another mode of the home network gateway apparatus, when instructed by an apparatus incorporating a WWW browser on the home network or a network other than the home network to remotely control the home network device via the list menu, the home network gateway apparatus sends control information to the home network device based on the device operation information and makes the device execute the operation as instructed.

A review of these portions of Sawada shows that Sawada does not teach, allude to or make obvious the other steps of claim 1 for obtaining, selecting or accessing of claim 1. Sawada does not teach, allude to or make obvious a step of obtaining and viewing a list of at least one remote service. Sawada's list is "a list of home network devices on the display of the device." Sawada does not teach, allude to or make obvious "accessible remote services from a serving entity accessible remotely via said home network from said serving entity using at least one of said communications media and one of said communications protocols." Sawada does not teach, allude to or make obvious selecting a remote service from a list Sawada doesn't have. Sawada does not teach, allude to or make obvious selecting a communications media and a communications protocol that a remote service uses. Finally Sawada does not teach, allude to or make obvious a step of "accessing and viewing said at least one remote service in obtaining desired results." Thus claim 1 and all claims that depend on claim 1 are allowable over the cited combined art.

Regarding Claim 2, it is clear that it is not made obvious by the combined cited art. Applicants respectfully state that it was shown that Hefter fails to teach the claimed invention, and claim 2 is allowable because it depends on claim 1.

Regarding Claim 3, it is clear that it is not made obvious by the combined cited art. Applicants respectfully state that claim 3 is a very narrow claim. It protects a particular

embodiment of the present invention with its clear advantages. It is allowable even when Hefter Sawada are combined with Kawasaki. It has a special combination of many elements useful for the particular embodiment of the resent invention.

Claim 3 reads:

3. (previously presented) A method as recited in claim 1,

wherein the client device is a cellular telephone;

wherein the step of connecting includes dialing-up directly to the serving entity;

wherein the step of viewing is performed employing a viewing device collocated with said client device;

wherein the viewing device depicts information in a form including at least one of: text, graphics, images, light display, voice or any combination of these;

wherein the step of selecting includes employing a menu;

wherein the step of viewing is performed employing a web-browser and the serving entity is a web-server;

wherein the step of connecting includes dialing-up to the serving entity through a data network to which the serving entity is connected;

wherein the data network is the Intranet controlled by an Internet Service Provider;

wherein the data network uses the TCP/IP protocol suite for transporting information;

1 wherein said wireless, circuit-switched, voice telephony network is a first generation,  
2 analog, cellular network;

3 wherein said wireless, circuit-switched, voice telephony network is a second generation,  
4 digital, cellular network;

5 wherein the step of dialing-up directly to the service entity further includes passing dialing  
6 signaling and control data to the serving entity through an intermediary data network;

7 wherein the step of dialing-up to the serving entity through a data network, further  
8 includes dialing-up to the serving entity through a sequence of at least one data network,  
9 the last one of which the serving entity is attached to;

10 wherein at least one service agent is a computer software module executable on a  
11 computer; and

12 wherein the step of viewing views the list on a viewing device in a manner that depends on  
13 the user's access privileges to said at least one remote service, and further comprising:

14 said serving entity employing attributes of said circuit switch network in  
15 authenticating said user, wherein said attributes include a telephone number of said  
16 client device, and wherein said attributes include a telephone number of said  
17 serving entity;

18 establishing credentials so that said at least one remote service can be manipulated  
19 in a secure manner on the serving entity;

20 the serving entity providing access to at least one service agent used to access and  
21 control said at least one remote service;



activating said computer software module prior to invoking a particular remote service;

activating said computer software module on demand after a particular remote service has been invoked;

storing said computer software module at a data repository; and

dynamically retrieving and activating said computer software module from the data repository after invoking a particular remote service.

The office communication fails to show these steps of service provision to a cellular telephone . Applicants take exception to the alleged equivalent teach of the references and claim 3. But, even if the office communication would be correct that the combined art makes each element in claim 3 obvious, a new, novel and advantageous combination is allowable. Thus claim 3 is certainly allowable for itself and because it depends on claim 1.

Regarding Claims 4 -26 which are lumped together in the office communication as being obvious because of claim 3. The office communication only states:

*2. As per claims 4-26 see claim 3 above.*

The office communication fails to show any reason for each of claims 4-26 being made obvious by the combined cited art. It is clear that as with claim 3, each claim is not made obvious by the combined cited art. Applicants respectfully state that all these claims are allowable each for itself and because each ultimately depends on allowable claim 1.

Regarding Claim 27, it is clear that it is not made obvious by the combined cited art. Claim 27 is a Beauregard claim for an article of manufacture comprising a computer usable medium having computer readable program code means embodied therein for causing a user to interact with at least one remote service causing a computer to effect the steps of claim 1. Applicants contend there is apparently no showing in the cited art for a software implementation

1 of a user to interact with at least one remote service. Thus claim 27 is allowable for itself and  
2 because it depends on allowable claim 1.

3       Regarding Claim 28, it is clear that it is not made obvious by the combined cited art.  
4 Claim 28 is a Beauregard claim for a program storage device readable by machine, tangibly  
5 embodying a program of instructions executable by the machine to perform method steps for  
6 causing a user to interact with at least one remote service, said method steps comprising the steps  
7 of claim 1. Applicants contend there is apparently no showing in the cited art for a software  
8 implementation of a user to interact with at least one remote service. Thus claim 28 is allowable  
9 for itself and because it depends on allowable claim 1.

10       Regarding Claim 29, it is clear that it is not made obvious by the combined cited art.  
11 Claim 29 protects an apparatus for a user to interact with at least one remote service. Claim 29  
12 reads:

13       29. An apparatus for a user to interact with at least one remote service, comprising:

14       user connecting means for said user connecting to a serving entity using a client device  
15       attached to a wireless, circuit-switched, voice telephony network, said user connecting  
16       means employing only one of a cellular voice network and a PSTN;

17       user viewing means for obtaining and viewing a list of accessible remote services from said  
18       serving entity;

19       second connecting means for attaching said apparatus to a communications medium and  
20       using a communications protocols, taken from an aggregation of communication media  
21       and protocols, through which said at least one remote service can be accessed;

22       user selecting means for selecting said at least one remote service from said list;

second selecting means for selecting the communications medium and protocol to access said selected at least one service; and

user access means for accessing and viewing said at least one remote service in obtaining desired results.

There is apparently no showing in the office communication as to why claim 29 is not allowable over the cited art. The combined cited art fails to show:

any user connecting means;

any user viewing means;

any second connecting means;

any user selecting means;

any second selecting means; or

any user access means,

each performing its specific function as claimed in claim 29. Thus claim 29 is allowable over the cited art.

Regarding Claim 30, it is clear that it is not made obvious by the combined cited art. Claim 30 is a Beauregard claim for a computer program product comprising a computer usable medium having computer readable program code means embodied therein for causing a user to interact with at least one remote service to effect the functions of claim 28. Applicants contend there is apparently no showing in the cited art for a software implementation of a user to interact with at least one remote service. Thus claim 30 is allowable for itself and because it ultimately

depends on allowable claim 1.

Regarding Claim 31, it is clear that it is not made obvious by the combined cited art. Applicants respectfully state that exception is taken with the claimed reading of the elements of claim 31 and Hefter with Sawada. Claim 31 is an apparatus claim and as with claim 1, neither Hefter and/or Sawada have the elements of claim 31. Claim 31 reads:

31. An apparatus attached on a home network for a user using a client device attached to a wireless, circuit-switched, voice telephony network, to interact with at least one service on said home network, said apparatus comprising:

a telephone modem to directly receive an incoming call from the client device, and also to receive and transmit data over a telephone network, said telephone modem having a client port through which the apparatus attaches to the telephone network, said apparatus being a single apparatus through which a user with the ~~user~~ client device can establish communication in one step,

said client device employing only one of a cellular voice network and a PSTN;

a dial-in service module to implement dial-in logic for the client device;

a browser server module for managing data for remote display; and

a protocol transport module to implement protocols needed to transport data back and forth between a browser application in the client device and said browser server module.

A review of the cited references shows that the combination apparently do not teach, allude to or make obvious a "client device employing **only one of a cellular voice network and a PSTN.**

The combination apparently do not teach, allude to or make obvious "a dial-in service module to implement dial-in logic for the client device. The combination apparently do not teach, allude to or make obvious "a browser server module for managing data for remote display." The

1 combination apparently do not teach, allude to or make obvious "a protocol transport module to  
2 implement protocols needed to transport data back and forth between a browser application in the  
3 client device and said browser server module." Neither cited reference is concerned with protocol  
4 transport, implementing dial-in logic, managing data for remote display, or a protocol transport  
5 module. Thus claim 31 and all claims that depend thereon are allowable over the cited art.

6           Regarding Claim 32, it is clear that it is not made obvious by the combined cited art.  
7 Applicants respectfully state that it was shown that Hefter and Sawada fail to teach the invention  
8 in claim 31. Hefter col. 5, lines 5-10 reads:

9           "controller 112, which in turn, controls the base stations 116. Controller 112  
10 communicates with computer network 104 via interface 101 with PSTN 110. To achieve  
11 the desired handover functionality required in wireless networks and contemplated by this  
12 invention, base stations 116, each communicate with a corresponding controller 112. The  
13 various components of network 10 will now be described in more detail. As disclosed in  
14 further detail below, network 104 connects telephone and computers to controller 112."

15 This is not an indication of a teaching "teaches wherein said browser server is used to obtain,  
16 organize, and manipulate data received from and data sent to the client device through the  
17 protocol transport module," as stated in the office communication above. This is not a teaching  
18 of a "browser server is used to obtain, organize, and manipulate data received from and data sent  
19 to the client device through the protocol transport module," as in claim 32. So claim 32 is  
20 allowable for itself and because it depends on claim 31.

21           Regarding Claim 33, it is clear that it is not made obvious by the combined cited art.  
22 Applicants respectfully state that exception is taken with the claimed reading of the elements of  
23 claim 33 and Hefter with Sawada. A review of the cited portion Sawada (See col. 2, lines 20-49)  
24 and Hefter (See col. 1, lines 30-34). It would indeed not be obvious to one with ordinary skill in  
25 the art at the time the invention was made to incorporate the teaching of Sawada in the claimed  
26 invention Hefter in order to in order to make remotely control home devices (See col. 1, lines  
27 30-34). A review of the cited portion apparently fails to make the showing stated by the office  
28 communication. So claim 33 is allowable for itself and because it depends on claim 31.

1           Regarding Claim 34, it is clear that it is not made obvious by the combined cited art. As  
2   stated in the responsive amendment, the applicants respectfully state that exception is taken with  
3   the claimed reading of the elements of claim 34 and Hefter with Sawada. A review of the cited  
4   portion apparently fails to make the showing stated by the office communication. So claim 34 is  
5   allowable for itself and because it depends on claim 31.

6           Regarding Claim 35, it is clear that it is not made obvious by the combined cited art. As  
7   stated in the responsive amendment, the applicants respectfully state that exception is taken with  
8   the claimed reading of the elements of claim 35 and Hefter with Sawada and the it "would have  
9   been obvious" statement above. A review of the cited portion apparently fails to make the  
10   showing stated by the office communication. So claim 35 is allowable for itself and because it  
11   depends on claim 31.

12           Regarding Claim 36, it is clear that it is not made obvious by the combined cited art. As  
13   stated in the responsive amendment, the applicants respectfully state that exception is taken with  
14   the claimed reading of the elements of claim 36 and Hefter with Sawada. A review of the cited  
15   portion apparently fails to make the showing stated by the office communication. So claim 36 is  
16   allowable for itself and because it depends on claim 31.

17           Regarding Claim 37, it is clear that it is not made obvious by the combined cited art. As  
18   stated in the responsive amendment, the applicants respectfully state that exception is taken with  
19   the claimed reading of the elements of claim 36 and Hefter with Sawada. A review of the cited  
20   portion apparently fails to make the showing stated by the office communication. So claim 36 is  
21   allowable for itself and because it depends on claim 31.

22   **CONCLUSION:**

23   For at least the above reasons, applicants believe that the invention claimed in claims 1-37, is  
24   distinct from the cited prior art. Therefore applicants respectfully request that the Examiner

1     withdraw the rejections and allow claims 1-37.

2             The Board of Appeals is, thus, respectfully asked to reverse the rejection of Claims 1 and  
3     3 under 35 U.S.C. §112, and claims 1-37, under 35 U.S.C. §103(a).

4             Please charge any fee necessary to enter this paper to deposit account 50-0510.

5   Respectfully submitted,

6   By:     \_\_\_\_\_/Louis Herzberg/\_\_\_\_\_  
7   Dr. Louis P. Herzberg  
8   Reg. No. 41,500  
9   Voice Tel. (845) 352-3194  
10    Fax. (845) 352-3194

11     3 Cloverdale Lane  
12     Monsey, NY 10952  
13     Customer Number: 54856

**(J) CLAIMS APPENDIX**

**LISTING OF THE CLAIMS**

This is a clean listing of the claims, cleaning the claims submitted with the amendment after FINAL on March 16, 2007.

A listing of the claims showing the amendments to claims 1 and 3 as submitted with the amendment after FINAL is also appended.

**CLAIMS**

1. (previously presented) A service interaction method comprising a user interacting with at least one remote service accessible through a home data distribution network, said home data distribution network comprising an aggregation of at least one communications media and at least one communications protocol used to access said at least one remote service from a serving entity, the step of interacting comprising:

employing only one of a cellular voice network and a PSTN, said user connecting to a serving entity attached to said home data distribution network using a client device attached to a wireless, circuit-switched, voice telephony network,

obtaining and viewing a list of at least one remote service from accessible remote services from said serving entity accessible remotely via said home network from said serving entity using at least one of said communications media and one of said communications protocols;

selecting said at least one remote service from said list;

selecting said at least one communications media and at least one communications protocol that said at least one remote service uses; and

accessing and viewing said at least one remote service in obtaining desired results.



- 1    2. (original) A method as recited in claim 1, wherein the client device is portable.
- 2    3. (previously presented) A method as recited in claim 1,
- 3    wherein the client device is a cellular telephone;
- 4    wherein the step of connecting includes dialing-up directly to the serving entity;
- 5    wherein the step of viewing is performed employing a viewing device collocated with said client
- 6    device;
- 7    wherein the viewing device depicts information in a form including at least one of: text, graphics,
- 8    images, light display, voice or any combination of these;
- 9    wherein the step of selecting includes employing a menu;
- 10    wherein the step of viewing is performed employing a web-browser and the serving entity is a
- 11    web-server;
- 12    wherein the step of connecting includes dialing-up to the serving entity through a data network to
- 13    which the serving entity is connected;
- 14    wherein the data network is the Intranet controlled by an Internet Service Provider;
- 15    wherein the data network uses the TCP/IP protocol suite for transporting information;
- 16    wherein said wireless, circuit-switched, voice telephony network is a first generation, analog,
- 17    cellular network;

1 wherein said wireless, circuit-switched, voice telephony network is a second generation, digital,  
2 cellular network;

3 wherein the step of dialing-up directly to the service entity further includes passing dialing  
4 signaling and control data to the serving entity through an intermediary data network;

5 wherein the step of dialing-up to the serving entity through a data network, further includes  
6 dialing-up to the serving entity through a sequence of at least one data network, the last one of  
7 which the serving entity is attached to;

8 wherein at least one service agent is a computer software module executable on a computer; and

9 wherein the step of viewing views the list on a viewing device in a manner that depends on the  
10 user's access privileges to said at least one remote service, and further comprising:

11 said serving entity employing attributes of said circuit switch network in authenticating  
12 said user, wherein said attributes include a telephone number of said client device, and  
13 wherein said attributes include a telephone number of said serving entity;

14 establishing credentials so that said at least one remote service can be manipulated in a  
15 secure manner on the serving entity;

16 the serving entity providing access to at least one service agent used to access and control  
17 said at least one remote service;

18 activating said computer software module prior to invoking a particular remote service;

19 activating said computer software module on demand after a particular remote service has  
20 been invoked;

1 storing said computer software module at a data repository; and

2 dynamically retrieving and activating said computer software module from the data  
3 repository after invoking a particular remote service.

4 4. (original) A method as recited in claim 1, wherein the step of connecting includes dialing-up  
5 directly to the serving entity.

6 5. (original) A method as recited in claim 1, wherein the step of viewing is performed employing a  
7 viewing device collocated with said client device.

8 6. (previously presented) A method as recited in claim 1, wherein the viewing device depicts  
9 information in a form including at least one of: text, graphics, images, light display, voice or any  
10 combination of these.

11 7. (original) A method as recited in claim 1, wherein the step of selecting includes employing a  
12 menu.

13 8. (original) A method as recited in claim 5, wherein the step of viewing is performed employing a  
14 web-browser and the serving entity is a web-server.

15 9. (original) A method as recited in claim 1, wherein the step of connecting includes dialing-up to  
16 the serving entity through a data network to which the serving entity is connected.

17 10. (original) A method as recited in claim 9, wherein the data network is the Intranet controlled  
18 by an Internet Service Provider.

19 11. (original) A method as recited in claim 9, wherein the data network uses the TCP/IP protocol  
20 suite for transporting information.

1 12. (original) A method as recited in claim 1, further comprising said serving entity employing  
2 attributes of said circuit switch network in authenticating said user.

3 13. (original) A method as recited in claim 12, wherein said attributes include a telephone number  
4 of said client device.

5 14. (original) A method as recited in claim 12, wherein said attributes include a telephone number  
6 of said serving entity.

7 15. (original) A method as recited in claim 1, further comprising establishing credentials so that  
8 said at least one remote service can be manipulated in a secure manner on the serving entity.

9 16. (original) A method as recited in claim 1, wherein the step of viewing views the list on a  
10 viewing device in a manner that depends on the user's access privileges to said at least one remote  
11 service.

12 17. (original) A method as recited in claim 1, further comprising the serving entity providing  
13 access to at least one service agent used to access and control said at least one remote service.

14 18. (original) A method as recited in claim 17, wherein at least one of said at least one service  
15 agent is a computer software module executable on a computer.

16 19. (original) A method as recited in claim 18, further comprising activating said software module  
17 prior to invoking a particular remote service.

18 20. (original) A method as recited in claim 18, further comprising activating said software module  
19 on demand after a particular remote service has been invoked.

20 21. (original) A method as recited in claim 18, further comprising storing said software module at  
21 a data repository.

22. (original) A method as recited in claim 21, further comprising dynamically retrieving and activating said software module from the data repository after invoking a particular remote service.

23. (original) A method as recited in claim 1, wherein said wireless, circuit-switched, voice telephony network is a first generation, analog, cellular network.

24. (original) A method as recited in claim 1, wherein said wireless, circuit-switched, voice telephony network is a second generation, digital, cellular network.

25. (original) A method as recited in claim 4, wherein the step of dialing-up directly to the service entity further includes passing dialing signaling and control data to the serving entity through an intermediary data network.

26. (original) A method as recited in claim 9, wherein the step of dialing-up to the serving entity through a data network, further includes dialing-up to the serving entity through a sequence of at least one data network, the last one of which the serving entity is attached to.

27. (original) An article of manufacture comprising a computer usable medium having computer readable program code means embodied therein for causing a user to interact with at least one remote service, the computer readable program code means in said article of manufacture comprising computer readable program code means for causing a computer to effect the steps of claim 1.

28. (original) A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for causing a user to interact with at least one remote service, said method steps comprising the steps of claim 1.

29. (Previously presented) An apparatus for a user to interact with at least one remote service,

1 comprising:

2 user connecting means for said user connecting to a serving entity using a client device attached  
3 to a wireless, circuit-switched, voice telephony network, said user connecting means employing  
4 only one of a cellular voice network and a PSTN;

5 user viewing means for obtaining and viewing a list of accessible remote services from said  
6 serving entity;

7 second connecting means for attaching said apparatus to a communications medium and using a  
8 communications protocols, taken from an aggregation of communication media and protocols,  
9 through which said at least one remote service can be accessed;

10 user selecting means for selecting said at least one remote service from said list;

11 second selecting means for selecting the communications medium and protocol to access said  
12 selected at least one service; and

13 user access means for accessing and viewing said at least one remote service in obtaining desired  
14 results.

15 30. (original) A computer program product comprising a computer usable medium having  
16 computer readable program code means embodied therein for causing a user to interact with at  
17 least one remote service, the computer readable program code means in said computer program  
18 product comprising computer readable program code means for causing a computer to effect the  
19 functions of claim 28.

20 31. (Previously presented) An apparatus attached on a home network for a user using a client  
21 device attached to a wireless, circuit-switched, voice telephony network, to interact with at least  
22 one service on said home network, said apparatus comprising:

1 a telephone modem to directly receive an incoming call from the client device, and also to receive  
2 and transmit data over a telephone network, said telephone modem having a client port through  
3 which the apparatus attaches to the telephone network, said apparatus being a single apparatus  
4 through which a user with the client device can establish communication in one step,  
5 said client device employing only one of a cellular voice network and a PSTN;

6 a dial-in service module to implement dial-in logic for the client device;

7 a browser server module for managing data for remote display; and

8 a protocol transport module to implement protocols needed to transport data back and forth  
9 between a browser application in the client device and said browser server module.

10 32. (original) An apparatus as recited in claim 31, wherein said browser server is used to obtain,  
11 organize, and manipulate data received from and data sent to the client device through the  
12 protocol transport module.

13 33. (original) An apparatus as recited in claim 32, wherein said data sent to the client device are  
14 displayed and viewed by the browser application in the client device.

15 34. (previously presented) An apparatus as recited in claim 32, wherein said data sent includes a  
16 list of services that are accessible by the client device.

17 35. (Previously presented) An apparatus as recited in claim 31, wherein said data received by the  
18 browser application in the client device include a selection of at least one service the user of the  
19 client device controls and an action to be taken for a selected service, and upon receipt of the  
20 action the browser server interacts with a particular service agent to implement the control logic  
21 for controlling the selected service, wherein a control signal generated by the service agent exits  
22 the apparatus through attachment of the home network.

1 36. (Previously presented) An apparatus as recited in claim 31, wherein said dial-in server module  
2 triggers at least one particular module in the apparatus to process any incoming calls and requests  
3 from the client device.

4 37. (previously presented) An apparatus as recited in claim 31, wherein said dial-in server module  
5 performs user authentication.

6



This listing lists the claims as they were amended in the last response to the FINAL office action, March 16, 2007.

**CLAIMS**

1. (Currently amended) 1. A service interaction method comprising a user interacting with at least one remote service accessible through a home data distribution network, said home data distribution network comprising an aggregation of at least one communications media and at least one communications protocol used to access said at least one remote service from a serving entity, the step of interacting comprising:

employing only one of a cellular voice network and a PSTN, said user connecting to a serving entity attached to said home data distribution network using a client device attached to a wireless, circuit-switched, voice telephony network,

obtaining and viewing a list of at least one remote service from accessible remote services from said serving entity accessible remotely via said home network from said serving entity using at least one of said communications media and one of said communications protocols;

selecting said at least one remote service from said list;

selecting said at least one communications media and at least one communications protocol that said ~~selected~~ at least one remote service uses; and

accessing and viewing said at least one remote service in obtaining desired results.

2. (original) A method as recited in claim 1, wherein the client device is portable.

3. (Currently amended) A method as recited in claim 1,

- 1 wherein the client device is a cellular telephone;
- 2 wherein the step of connecting includes dialing-up directly to the serving entity;
- 3 wherein the step of viewing is performed employing a viewing device collocated with said client
- 4 device;
- 5 wherein the viewing device depicts information in a form including at least one of: text, graphics,
- 6 images, light display, voice or any combination of these;
- 7 wherein the step of selecting includes employing a menu;
- 8 wherein the step of viewing is performed employing a web-browser and the serving entity is a
- 9 web-server;
- 10 wherein the step of connecting includes dialing-up to the serving entity through a data network to
- 11 which the serving entity is connected;
- 12 wherein the data network is the Intranet controlled by an Internet Service Provider;
- 13 wherein the data network uses the TCP/IP protocol suite for transporting information;
- 14 wherein said wireless, circuit-switched, voice telephony network is a first generation, analog,
- 15 cellular network;
- 16 wherein said wireless, circuit-switched, voice telephony network is a second generation, digital,
- 17 cellular network;
- 18 wherein the step of dialing-up directly to the service entity further includes passing dialing

1 signaling and control data to the serving entity through an intermediary data network;

2 wherein the step of dialing-up to the serving entity through a data network, further includes

3 dialing-up to the serving entity through a sequence of at least one data network, the last one of

4 which the serving entity is attached to;

5 wherein at least one ~~of said at least one~~ service agent is a computer software module executable

6 on a computer; and

7 wherein the step of viewing views the list on a viewing device in a manner that depends on the

8 user's access privileges to said at least one remote service, and further comprising:

9       said serving entity employing attributes of said circuit switch network in authenticating

10       said user, wherein said attributes include a telephone number of said client device, and

11       wherein said attributes include a telephone number of said serving entity;

12       establishing credentials so that said at least one remote service can be manipulated in a

13       secure manner on the serving entity;

14       the serving entity providing access to at least one service agent used to access and control

15       said at least one remote service;

16       activating said computer software module prior to invoking a particular remote service;

17       activating said computer software module on demand after a particular remote service has

18       been invoked;

19       storing said computer software module at a data repository; and

20       dynamically retrieving and activating said computer software module from the data

repository after invoking a particular remote service.

4. (original) A method as recited in claim 1, wherein the step of connecting includes dialing-up directly to the serving entity.

5. (original) A method as recited in claim 1, wherein the step of viewing is performed employing a viewing device collocated with said client device.

6. (previously presented) A method as recited in claim 1, wherein the viewing device depicts information in a form including at least one of: text, graphics, images, light display, voice or any combination of these.

7. (original) A method as recited in claim 1, wherein the step of selecting includes employing a menu.

8. (original) A method as recited in claim 5, wherein the step of viewing is performed employing a web-browser and the serving entity is a web-server.

9. (original) A method as recited in claim 1, wherein the step of connecting includes dialing-up to the serving entity through a data network to which the serving entity is connected.

10. (original) A method as recited in claim 9, wherein the data network is the Intranet controlled by an Internet Service Provider.

11. (original) A method as recited in claim 9, wherein the data network uses the TCP/IP protocol suite for transporting information.

12. (original) A method as recited in claim 1, further comprising said serving entity employing attributes of said circuit switch network in authenticating said user.

1 13. (original) A method as recited in claim 12, wherein said attributes include a telephone number  
2 of said client device.

3 14. (original) A method as recited in claim 12, wherein said attributes include a telephone number  
4 of said serving entity.

5 15. (original) A method as recited in claim 1, further comprising establishing credentials so that  
6 said at least one remote service can be manipulated in a secure manner on the serving entity.

7 16. (original) A method as recited in claim 1, wherein the step of viewing views the list on a  
8 viewing device in a manner that depends on the user's access privileges to said at least one remote  
9 service.

10 17. (original) A method as recited in claim 1, further comprising the serving entity providing  
11 access to at least one service agent used to access and control said at least one remote service.

12 18. (original) A method as recited in claim 17, wherein at least one of said at least one service  
13 agent is a computer software module executable on a computer.

14 19. (original) A method as recited in claim 18, further comprising activating said software module  
15 prior to invoking a particular remote service.

16 20. (original) A method as recited in claim 18, further comprising activating said software module  
17 on demand after a particular remote service has been invoked.

18 21. (original) A method as recited in claim 18, further comprising storing said software module at  
19 a data repository.

20 22. (original) A method as recited in claim 21, further comprising dynamically retrieving and  
21 activating said software module from the data repository after invoking a particular remote

1 service.

2 23. (original) A method as recited in claim 1, wherein said wireless, circuit-switched, voice  
3 telephony network is a first generation, analog, cellular network.

4 24. (original) A method as recited in claim 1, wherein said wireless, circuit-switched, voice  
5 telephony network is a second generation, digital, cellular network.

6 25. (original) A method as recited in claim 4, wherein the step of dialing-up directly to the service  
7 entity further includes passing dialing signaling and control data to the serving entity through an  
8 intermediary data network.

9 26. (original) A method as recited in claim 9, wherein the step of dialing-up to the serving entity  
10 through a data network, further includes dialing-up to the serving entity through a sequence of at  
11 least one data network, the last one of which the serving entity is attached to.

12 27. (original) An article of manufacture comprising a computer usable medium having computer  
13 readable program code means embodied therein for causing a user to interact with at least one  
14 remote service, the computer readable program code means in said article of manufacture  
15 comprising computer readable program code means for causing a computer to effect the steps of  
16 claim 1.

17 28. (original) A program storage device readable by machine, tangibly embodying a program of  
18 instructions executable by the machine to perform method steps for causing a user to interact with  
19 at least one remote service, said method steps comprising the steps of claim 1.

20 29. (Previously presented) An apparatus for a user to interact with at least one remote service,  
21 comprising:

22 user connecting means for said user connecting to a serving entity using a client device attached

1 to a wireless, circuit-switched, voice telephony network, said user connecting means employing  
2 only one of a cellular voice network and a PSTN;

3 user viewing means for obtaining and viewing a list of accessible remote services from said  
4 serving entity;

5 second connecting means for attaching said apparatus to a communications medium and using a  
6 communications protocols, taken from an aggregation of communication media and protocols,  
7 through which said at least one remote service can be accessed;

8 user selecting means for selecting said at least one remote service from said list;

9 second selecting means for selecting the communications medium and protocol to access said  
10 selected at least one service; and

11 user access means for accessing and viewing said at least one remote service in obtaining desired  
12 results.

13 30. (original) A computer program product comprising a computer usable medium having  
14 computer readable program code means embodied therein for causing a user to interact with at  
15 least one remote service, the computer readable program code means in said computer program  
16 product comprising computer readable program code means for causing a computer to effect the  
17 functions of claim 28.

18 31. (Previously presented) An apparatus attached on a home network for a user using a client  
19 device attached to a wireless, circuit-switched, voice telephony network, to interact with at least  
20 one service on said home network, said apparatus comprising:

21 a telephone modem to directly receive an incoming call from the client device, and also to receive  
22 and transmit data over a telephone network, said telephone modem having a client port through

1 which the apparatus attaches to the telephone network, said apparatus being a single apparatus  
2 through which a user with the ~~user~~ client device can establish communication in one step,  
3 said client device employing only one of a cellular voice network and a PSTN;

4 a dial-in service module to implement dial-in logic for the client device;

5 a browser server module for managing data for remote display; and

6 a protocol transport module to implement protocols needed to transport data back and forth  
7 between a browser application in the client device and said browser server module.

8 32. (original) An apparatus as recited in claim 31, wherein said browser server is used to obtain,  
9 organize, and manipulate data received from and data sent to the client device through the  
10 protocol transport module.

11 33. (original) An apparatus as recited in claim 32, wherein said data sent to the client device are  
12 displayed and viewed by the browser application in the client device.

13 34. (previously presented) An apparatus as recited in claim 32, wherein said data sent includes a  
14 list of services that are accessible by the client device.

15 35. (Previously presented) An apparatus as recited in claim 31, wherein said data received by the  
16 browser application in the client device include a selection of at least one service the user of the  
17 client device controls and an action to be taken for a selected service, and upon receipt of the  
18 action the browser server interacts with a particular service agent to implement the control logic  
19 for controlling the selected service, wherein a control signal generated by the service agent exits  
20 the apparatus through attachment of the home network.

21 36. (Previously presented) An apparatus as recited in claim 31, wherein said dial-in server module  
22 triggers at least one particular module in the apparatus to process any incoming calls and requests



- 1 from the client device.
- 2 37. (previously presented) An apparatus as recited in claim 31, wherein said dial-in server module
- 3 performs user authentication.

1

2 **(K) EVIDENCE APPENDIX**

3           Copies of any evidence submitted

4    There is no evidence entered by the Examiner and relied upon by appellant in this appeal.

**1 (L) RELATED PROCEEDINGS APPENDIX.**

- 2 There are no decisions rendered by a court or the Board in any proceeding identified pursuant to  
3 paragraph (c)(1)(ii) of this section.